

REMARKS

In response to the Requirement for Information requested by the Examiner, the Applicant hereby respectfully responds.

A. The Examiner requested the title, citation, and a copy of each publication that is a source used for the description of the prior art in the disclosure (Request #3 in Office Action dated April 27, 2007). For each publication, the Examiner requested a concise explanation of that publication's contribution to the description of the prior art. Applicant respectfully responds that such information as requested by the Examiner was submitted with the filing of Information Disclosure Statements on January 18, 2002, April 17, 2002 and December 8, 2003 and the most relevant citations have been discussed at length in the prosecution and appeal of this application.

B. The Examiner requested the title, citation, and a copy of each publication that any of the applicants relied upon to develop the disclosed subject matter of the applicant's invention. (Request #4 in Office Action dated April 27, 2007). For each publication, the Examiner requested a concise explanation of the reliance placed on that publication in the development of the disclosed subject matter. Applicant respectfully responds that such information as requested by the Examiner was submitted with the filing of Information Disclosure Statements on January 18, 2002, April 17, 2002 and December 8, 2003 and the most relevant citations have been discussed at length in the prosecution and appeal of this application.

C. The Examiner requested a copy of any non-patent literature, U.S. or foreign published application, or U.S. or foreign patent, by any of the inventor or assigned to the same assignee as the current application that relates to the claimed invention. (Request #5 in Office Action dated April 27, 2007). Applicant respectfully responds that such information as requested by the Examiner was submitted with the filing of Information Disclosure Statements on January 18, 2002, April 17, 2002 and December 8, 2003.

D. The Examiner requested identification of any pending or abandoned applications filed by at least one of the inventors or assigned to the same assignee as the current application that, discloses similar subject matter that are not otherwise identified in the current application. (Request #6 in Office Action dated April 27, 2007). Applicant responds as follows: Canadian patent application number 2448263; European patent application number 02739475.8; Mexican patent application number PA/a/2003/010755; and Norwegian patent application number 20035216.

E. The Examiner requested if any search of prior art was performed. If a search was performed, the Examiner requested the citation for each prior art collection searched. If any art retrieved from the search was considered material to demonstrating the knowledge of the prior art, a citation and a copy for each piece of art considered was requested. (Request #7 in Office Action dated April 27, 2007). Applicant respectfully responds that the results of any search as requested by the Examiner was submitted with the filing of Information Disclosure Statements on January 18, 2002, April 17, 2002 and December 8, 2003.

F. The Examiner requested the names of any products or services that have incorporated the disclosed prior art. (Request #8 in Office Action dated April 27, 2007). The relevant information known to Applicant was provided in the IDS. Applicant is not aware at this time of products or services that have incorporated the disclosed prior art and objects to this request as unduly burdensome and not relevant to the patentability of the pending application.

G. The Examiner requested the trade names and providers of any goods or services in competition with the goods and services in which the claimed subject matter has been embodied. (Request #9 in Office Action dated April 27, 2007). Applicant respectfully responds that at this time it has not searched competing providers to assess claimed subject matter of the pending application.

H. The Examiner requested the any written description or analyses, prepared by any of the inventors or assignees, of goods and services in which the claimed subject matter has been embodied. (Request #10 in Office Action dated April 27, 2007). No written document exists and further Applicant respectfully objects to the request on the grounds of attorney-client privilege.

I. The Examiner requested the names of any products or services that have incorporated the claimed subject matter. (Request #11 in Office Action dated April 27, 2007). Applicant respectfully responds that there is no specific product that has incorporated the claimed subject matter.

J. The Examiner requested the citation for, the dates initially published, and copies of any advertising and promotional literature prepared for any goods or services in which the claimed subject matter has been embodied. (Request #12 in Office Action dated April 27, 2007). Applicant respectfully responds that there is no specific product that has incorporated the claimed subject matter.

K. The Examiner requested the citation for, the dates initially published, and copies of any journal articles describing any goods or services in which the claimed subject matter has been embodied. (Request #13 in Office Action dated April 27, 2007). Applicant respectfully responds that any information requested is not available in Applicant's files pursuant to Applicant's records retention policy. The application was filed over six years ago and the Applicant objects to this requested information at this time. Furthermore, Applicant is unaware at this time of any requested journal articles.

L. The Examiner requested a statement of the specific improvements of the claimed subject matter over the disclosed prior art and to indicate the specific elements in the claimed subject matter that provide those improvements. For any claims expressed as means or steps plus function, the Examiner requests the specific page and line numbers within the disclosure that describe the claimed structure and acts. (Request #14 in Office Action dated April 27, 2007). The Applicant respectfully responds that the statement of the specific improvements of the claimed subject matter over the disclosed prior art and the indication of the specific elements in the claimed subject matter that provide those improvements has already been provided during prosecution of this application and the subsequent Appeal. Furthermore, the Applicant does not believe any means or steps plus function claims are pending in this application.

Applicant has provided the above information with candor and good faith under 37 C.F.R. 1.56. Applicant believes that this response is a complete reply to the requirements requested by the Examiner. Applicant believes that the claims are now in condition for allowance, which action is respectfully requested. If any questions or issues remain and the resolution of which the Examiner feels will be advanced by a conference with the Applicant's attorney, the Examiner is invited to contact the attorney at the number noted below. Moreover, Applicant urges that many of the requests are unduly burdensome, not made in a timely manner, and requests information that has previously been provided to the Examiner.

Further Applicant requests an explanation as to why after the appeal of the matter the examiner requests information six years after filing the application and successful appeal. No fees are believed to be due, however the Commissioner is hereby authorized to charge any fees which may be required, or credit any overpayment to Deposit Account 50-3420, reference 31175934-066006 (MAB).

Dated: June 25, 2007

Respectfully submitted,

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